# IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA CHARLESTON DIVISION

#### UNITED STATES OF AMERICA

v.

LAJUSTIN WILLIAMS,
a/k/a "Smurf"
TYRONE PETERSON,
a/k/a "Pete"
TYRONE WILSON,
a/k/a "Mooch"
CORNELIUS WALKER,
a/k/a "Lil Black"
KENDRICK SMALLS,
a/k/a "Ken Lo"

QUINTIN ANTONIO MCCLAIN, a/k/a "Gutta" a/k/a "Gotto" Criminal No.: 2:22-cr-139 (BHH)

18 U.S.C. § 2

18 U.S.C. § 922(g)(1)

18 U.S.C. § 922(o)

18 U.S.C. § 924(a)(2)

18 U.S.C. § 924(c)(1)(A)(i)

18 U.S.C. § 924(c)(1)(B)(ii)

18 U.S.C. § 924(d)(1)

18 U.S.C. § 924(e)

21 U.S.C. § 841(a)(1)

21 U.S.C. § 841(b)(1)(A)

21 U.S.C. § 841(b)(1)(B)

21 U.S.C. § 841(b)(1)(C)

21 U.S.C. § 841(b)(1)(D)

21 U.S.C. § 843(b)

21 U.S.C. § 846

21 U.S.C. § 853

21 U.S.C. § 881

28 U.S.C. § 2461(c)

# **SEALED**

# FIRST SUPERSEDING INDICTMENT

#### COUNT 1

(Conspiracy to Possess with Intent to Distribute and Distribution of Controlled Substances)
THE GRAND JURY CHARGES:

Beginning at a time unknown to the grand jury, but beginning at least in or around January

2020, and continuing thereafter, up to and including the date of this Indictment, in the District of South Carolina and elsewhere, the Defendants LAJUSTIN WILLIAMS, a/k/a "Smurf," TYRONE PETERSON, a/k/a "Pete," TYRONE WILSON, a/k/a "Mooch," QUINTIN ANTONIO MCCLAIN, a/k/a "Gutta," a/k/a "Gotto," CORNELIUS WALKER, a/k/a "Lil Black,"

and KENDRICK SMALLS, a/k/a "Ken Lo," knowingly and intentionally did combine, conspire, agree and have tacit understanding with each other and with others, both known and unknown to the grand jury, to knowingly, intentionally, and unlawfully possess with intent to distribute and distribute marijuana and heroin, both Schedule I controlled substances, and cocaine, cocaine base (commonly known as "crack" cocaine), and methamphetamine, all Schedule II controlled substances;

- a. With respect to LAJUSTIN WILLIAMS, a/k/a "Smurf," the amount involved in the conspiracy attributable to him as a result of his own conduct, and the conduct of other conspirators reasonably foreseeable to him, is 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine, a quantity of cocaine, and a quantity of marijuana, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(A), 841(b)(1)(C), and 841(b)(1)(D);
- b. With respect to TYRONE PETERSON, a/k/a "Pete," the amount involved in the conspiracy attributable to him as a result of his own conduct, and the conduct of other conspirators reasonably foreseeable to him, is 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine, and a quantity of

- marijuana, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(A), and 841(b)(1)(D);
- c. With respect to TYRONE WILSON, a/k/a "Mooch," the amount involved in the conspiracy attributable to him as a result of his own conduct, and the conduct of other conspirators reasonably foreseeable to him, is five kilograms or more of a mixture or substance containing a detectable amount of cocaine, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A);
- d. With respect to QUINTIN ANTONIO MCCLAIN, a/k/a "Gotto," a/k/a "Gutta," the amount involved in the conspiracy attributable to him as a result of his own conduct, and the conduct of other conspirators reasonably foreseeable to him, is 500 grams or more of a mixture or substance containing a detectable amount of cocaine, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B);
- e. With respect to CORNELIUS WALKER, a/k/a "Lil Black," the amount involved in the conspiracy attributable to him as a result of his own conduct, and the conduct of other conspirators reasonably foreseeable to him, is a quantity of cocaine, a quantity of methamphetamine, and a quantity of marijuana, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C), and 841(b)(1)(D);

g. With respect to **KENDRICK SMALLS**, a/k/a "Ken Lo," the amount involved in the conspiracy attributable to him as a result of his own conduct, and the conduct of other

conspirators reasonably foreseeable to him, is a quantity of cocaine, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C);

All in violation of Title 21, United States Code, Section 846.

# **COUNT 2**

THIS COUNT IS NO LONGER BEFORE THE COURT.

# **COUNT 3**

THIS COUNT IS NO LONGER BEFORE THE COURT.

## **COUNT 4**

THIS COUNT IS NO LONGER BEFORE THE COURT.

# COUNT 5 (Possession with Intent to Distribute Cocaine and Cocaine Base)

#### THE GRAND JURY FURTHER CHARGES:

That on or about October 28, 2021, in the District of South Carolina, the Defendant TYRONE WILSON, a/k/a "Mooch," as principle, aider and abettor, and a co-participant in a jointly undertaken activity, knowingly, intentionally, and unlawfully did possess with intent to distribute 28 grams or more of a mixture or substance containing a detectable amount of cocaine base (commonly known as "crack" cocaine) and a quantity of cocaine, both Schedule II controlled substances;

In violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(B), 841(b)(1)(C), and Title 18, United States Code, Section 2.

# COUNT 6 (Possession of a Firearm in Furtherance of Drug Trafficking)

#### THE GRAND JURY FURTHER CHARGES:

That on or about October 28, 2021, in the District of South Carolina, the Defendant **TYRONE WILSON, a/k/a "Mooch,"** as principle, aider and abettor, and a co-participant in a jointly undertaken activity, knowingly did possess a firearm in furtherance of a drug trafficking crime, as alleged in Count 5, which is prosecutable in a court of the United States;

In violation of Title 18, United States Code, Section 924(c)(1)(A)(i), and Title 18, United States Code, Section 2.

### COUNT 7

#### THIS COUNT IS NO LONGER BEFORE THE COURT.

# COUNT 8 (Felon in Possession of Ammunition)

#### THE GRAND JURY FURTHER CHARGES:

That on or about October 28, 2021, in the District of South Carolina, the Defendant **TYRONE WILSON**, a/k/a "Mooch," knowingly possessed ammunition in and affecting commerce, to wit, 5.56mm ammunition, having previously been convicted of a crime punishable by imprisonment for a term exceeding one year, and knowing that he had been convicted of such a crime;

In violation of Title 18, United States Code, Sections 922(g)(1), 924(a)(2), and 924(e).

#### COUNT 9

(Possession with Intent to Distribute Methamphetamine and Marijuana)

#### THE GRAND JURY FURTHER CHARGES:

That on or about September 7, 2021, in the District of South Carolina, the Defendants, LAJUSTIN WILLIAMS, a/k/a "Smurf," and TYRONE PETERSON, a/k/a "Pete," as principals, aiders and abettors and as co-participants in a jointly undertaken criminal activity, knowingly, intentionally, and unlawfully did possess with intent to distribute 500 grams or more of a quantity of mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, and a quantity of marijuana, a Schedule I controlled substance;

In violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(A), 841(b)(1)(D), and Title 18, United States Code, Section 2.

#### COUNT 10

THIS COUNT IS NO LONGER BEFORE THE COURT.

#### **COUNT 11**

(Possession with Intent to Distribute Marijuana)

THE GRAND JURY FURTHER CHARGES:

That on or about October 13, 2021, in the District of South Carolina, the Defendant, CORNELIUS WALKER, a/k/a "Lil Black," knowingly, intentionally, and unlawfully did possess with intent to distribute a quantity of marijuana, a Schedule I controlled substance;

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(D).

# **COUNT 12**

(Possession of a Machinegun in Furtherance of Drug Trafficking)

THE GRAND JURY FURTHER CHARGES:

That on or about October 13, 2021, in the District of South Carolina, the Defendant, CORNELIUS WALKER, a/k/a "Lil Black," knowingly did possess a firearm, to wit, a machinegun, in furtherance of a drug trafficking crime as alleged in Count 11, which is prosecutable in a court of the United States;

In violation of Title 18, United States Code, Sections 924(c)(1)(A)(i) and 924(c)(1)(B)(ii).

# COUNT 13 (Illegal Possession of a Machine Gun)

# THE GRAND JURY FURTHER CHARGES:

That on or about October 13, 2021, in the District of South Carolina, the Defendant, CORNELIUS WALKER, a/k/a "Lil Black," did knowingly possess a machinegun, as defined by Title 18, United States Code, Section 921(a)(23), and Title 26, United States Code, Section 5845(b), that is, a machinegun conversion device intended for use in converting a semiautomatic Glock pistol to fire automatically, and a Glock, model 26, 9mm pistol, that had been modified so that it was capable of firing automatically more than one shot, without manual reloading, by a single function of the trigger;

In violation of Title 18, United States Code, Sections 922(o) and 924(a)(2).

# COUNT 14 (Felon in Possession of Firearm and Ammunition)

## THE GRAND JURY FURTHER CHARGES:

That on or about September 15, 2021, in the District of South Carolina, the Defendant, **KENDRICK SMALLS**, a/k/a "Ken Lo," knowingly possessed a firearm and ammunition in and affecting commerce, to wit, a Glock, model 19, 9mm pistol and 9mm ammunition, having previously been convicted of a crime punishable by imprisonment for a term exceeding one year, and knowing that he had been convicted of such a crime;

In violation of Title 18, United States Code, Sections 922(g)(1), 924(a)(2), and 924(e).

# **COUNT 15** (Illegal Possession of a Machine Gun)

#### THE GRAND JURY FURTHER CHARGES:

That on or about September 15, 2021, in the District of South Carolina, the Defendant, **KENDRICK SMALLS, a/k/a "Ken Lo,"** did knowingly possess a machinegun, as defined by Title 18, United States Code, Section 921(a)(23), and Title 26, United States Code, Section 5845(b), that is, a machinegun conversion device intended for use in converting a semiautomatic Glock pistol to fire automatically, and a Glock, model 19, 9mm pistol, that had been modified so that it was capable of firing automatically more than one shot, without manual reloading, by a single function of the trigger;

In violation of Title 18, United States Code, Sections 922(o) and 924(a)(2).

# COUNTS 16-32 (Unlawful Use of a Communication Facility)

## THE GRAND JURY FURTHER CHARGES:

The Grand Jury re-alleges and incorporates by reference all paragraphs above as if fully set forth herein.

That on or about the dates set forth below, in the District of South Carolina, the named Defendants knowingly and intentionally did use a communication facility, to wit: a telephone, to facilitate the commission of a felony under the Controlled Substances Act, to wit: conspiracy to possess with intent to distribute, possession with intent to distribute, and distribution of controlled substances as set forth above; and did aid and abet each other in the commission of the aforesaid offense, in violation of Title 21, United States Code, Sections 841(a)(1) and 846:

COUNT	DATE	DEFENDANT(S)
16		THIS COUNT IS NO LONGER BEFORE THE COURT
17		THIS COUNT IS NO LONGER BEFORE THE COURT
18	8/20/21	LAJUSTIN WILLIAMS, a/k/a "Smurf"
19		THIS COUNT IS NO LONGER BEFORE THE COURT
20		THIS COUNT IS NO LONGER BEFORE THE COURT
21		THIS COUNT IS NO LONGER BEFORE THE COURT
22	9/14/21	KENDRICK SMALLS, a/k/a "Ken Lo"

COUNT	DATE	DEFENDANT(S)
23	9/15/21	CORNELIUS WALKER, a/k/a "Lil Black"
24		THIS COUNT IS NO LONGER BEFORE THE COURT
25	10/7/21	TYRONE PETERSON, a/k/a "Pete" and LAJUSTIN WILLIAMS, a/k/a "Smurf"
26	N	THIS COUNT IS NO LONGER BEFORE THE COURT
27		THIS COUNT IS NO LONGER BEFORE THE COURT
28	10/24/21	TYRONE WILSON, a/k/a "Mooch"
29		
30		
31	8/19/21	QUINTIN ANTONIO MCCLAIN, a/k/a "Gutta," a/k/a "Gotto"
32	8/27/21	QUINTIN ANTONIO MCCLAIN, a/k/a "Gutta," a/k/a "Gotto"

All in violation of Title 21, United States Code, Section 843(b) and Title 18, United States Code, Section 2.

# COUNT 33 (Possession with Intent to Distribute Cocaine and Cocaine Base)

## THE GRAND JURY FURTHER CHARGES:

That on or about February 24, 2022, in the District of South Carolina, the Defendant **LAJUSTIN WILLIAMS, a/k/a "Smurf,"** knowingly, intentionally, and unlawfully did possess with intent to distribute a quantity of cocaine base (commonly known as "crack" cocaine), and a quantity of cocaine, both Schedule II controlled substances;

In violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C), and 841(b)(1)(D), and Title 18, United States Code, Section 2.

# COUNT 34 (Possession of a Firearm in Furtherance of Drug Trafficking)

#### THE GRAND JURY FURTHER CHARGES:

That on or about February 24, 2022, in the District of South Carolina, the Defendant **LAJUSTIN WILLIAMS**, a/k/a "Smurf," knowingly did possess a firearm in furtherance of a drug trafficking crime, as alleged in Count 33, which is prosecutable in a court of the United States;

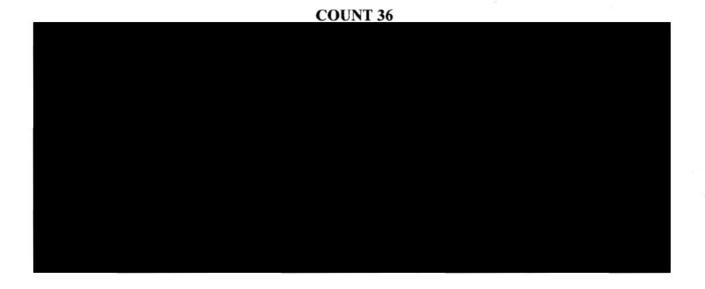
In violation of Title 18, United States Code, Section 924(c)(1)(A)(i), and Title 18, United States Code, Section 2.

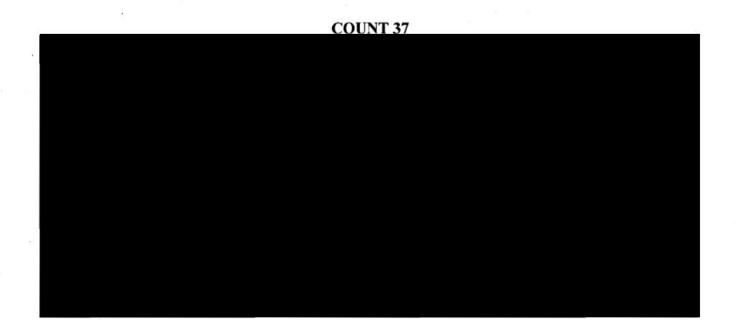
# COUNT 35 (Felon in Possession of Firearm and Ammunition)

#### THE GRAND JURY FURTHER CHARGES:

That on or about February 24, 2022, in the District of South Carolina, the Defendant LAJUSTIN WILLIAMS, a/k/a "Smurf," knowingly possessed a firearm and ammunition in and affecting commerce, to wit, a Charter Arms, .38 caliber revolver, and .38 caliber ammunition, having previously been convicted of a crime punishable by imprisonment for a term exceeding one year, and knowing that he had been convicted of such a crime;

In violation of Title 18, United States Code, Sections 922(g)(1), 924(a)(2), and 924(e).





COUNT 38
(Possession with Intent to Distribute Cocaine and Cocaine Base)

## THE GRAND JURY FURTHER CHARGES:

That on or about November 26, 2021, in the District of South Carolina, the Defendant QUINTIN ANTONIO MCCLAIN, a/k/a "Gutta," a/k/a "Gotto," knowingly, intentionally, and unlawfully did possess with intent to distribute a quantity of cocaine base (commonly known as "crack" cocaine), and a quantity of cocaine, both Schedule II controlled substances;

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

### **SENTENCING ENHANCEMENT PROVISIONS**

#### THE GRAND JURY FURTHER CHARGES:

The Defendants, LAJUSTIN WILLIAMS, a/k/a "Smurf," and QUINTIN ANTONIO MCCLAIN, a/k/a "Gutta," a/k/a "Gotto,"

prior to committing the violation(s) contained in this Indictment, had the following convictions for a serious drug felony, pursuant to Title 21, United States Code, Sections 802(57) and (58), that had become final for the purposes of Title 21, United States Code, Section 841:

- 1. LAJUSTIN WILLIAMS, a/k/a "Smurf,"
- a. June 28, 2006 a conviction for a serious drug felony in the State of South Carolina, Case Number 2005-GS-10-2945, for which the Defendant served more than 12 months in prison and for which the Defendant was released within 15 years of the commencement of the offenses charged in Counts 1 and 9 of this Indictment;
- 2. QUINTIN ANTONIO MCCLAIN, a/k/a "Gutta," a/k/a "Gotto,"
- a. October 16, 2017 convictions for serious drug felonies in the State of South Carolina, Case Numbers 2016A1010200267, 2016A1010201982 and 2016A1010201984, for which the Defendant served more than 12 months in prison and for which the Defendant was released within 15 years of the commencement of the offenses charged in Count 1 of this Indictment;

All in violation of Title 21, United States Code, Sections 802, 841, and 851.

## SENTENCING ALLEGATION FOR COUNT 14 (18 U.S.C. § 924(e)(1))

#### THE GRAND JURY FURTHER CHARGES:

That before committing the offense charged in Count 14, the Defendant, **KENDRICK SMALLS**, a/k/a "Ken Lo," had at least three previous convictions for offenses committed on occasions different from one another;

In violation of Title 18, United States Code, Sections 922(g)(1), 924(a)(2), and 924(e).

#### **FORFEITURE**

#### **DRUG/FIREARM OFFENSES:**

Upon conviction for one or more felony violations of Title 18 and Title 21, United States Code as charged in this Superseding Indictment, the Defendants, TYRONE WILSON, a/k/a "Mooch," LAJUSTIN WILLIAMS, a/k/a "Smurf," TYRONE PETERSON, a/k/a "Pete," CORNELIUS WALKER, a/k/a "Lil Black," KENDRICK SMALLS, a/k/a "Ken Lo,"

and QUINTIN ANTONIO MCCLAIN, a/k/a

"Gutta," a/k/a "Gotto," shall forfeit to the United States all of the Defendants' rights, title, and interest in and to any property, real and personal,

- (a) constituting, or derived from any proceeds the Defendants obtained, directly or indirectly, as the result of such violation(s) of Title 21, United States Code, and all property traceable to such property;
- (b) used or intended to be used, in any manner or part, to commit or to facilitate the commission of such violations of Title 21, United States Code;
- (c) any firearms and ammunition (as defined in 18 U.S.C. § 921)
  - (1) used or intended to be used to facilitate the transportation, sale, receipt, possession or concealment of controlled substances or any proceeds traceable to such property;
  - (2) involved in or used in any knowing violations of 18 U.S.C. §§ 922 or 924, or violation of any other criminal law of the United States, or intended to be used in a crime of violence.

#### PROPERTY:

Pursuant to Title 18, United States Code, Section 924(d)(1), Title 21, United States Code, Sections 853 and 881, and Title 28, United States Code, Section 2461(c), the property which is subject to forfeiture upon conviction of the Defendants for the offenses charged in this Superseding Indictment includes, but is not limited to, the following:

### A. <u>United States Currency</u>:

- (1) \$2,785.00 in United States Currency: Seized from Tyrone Wilson on 2/24/22 Asset ID: 22-FBI-002189
- (2) \$2,092.00 in United States Currency Seized from Lajustin Williams on 2/24/22 Asset ID: 22-FBI-002184

# B. <u>Jewelry</u>:

Miscellaneous Jewelry Seized from Lajustin Williams on 2/24/22 Asset ID: 22-FBI-002255

# C. Firearms:

- (1) Charter Arms Undercover Revolver, CAL: 38 Serial Number: 21L02626 Seized from Lajustin Williams on 2/24/22 Asset ID: 22-ATF-015046
- (2) Palmetto State Armory, model PA-15, 5.56mm pistol with two extended magazines Serial Number: SCB011556 Seized from: Tyrone Cox and Tyrone Wilson



# D. <u>Ammunition</u>:

Miscellaneous rounds of 5.56mm ammunition Seized from: Tyrone Cox and Tyrone Wilson

#### E. Proceeds/Forfeiture Judgment:

A sum of money equal to all property the Defendants obtained as a result of the drug offenses charged in the Superseding Indictment, and all interest and proceeds traceable thereto as a result of their violations of Title 21.

#### **SUBSTITUTION OF ASSETS:**

If any of the property described above as being subject to forfeiture, as a result of any act or omission of the Defendants:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third person;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p) to seek forfeiture of any other property of Defendants up to an amount equivalent to the value of the above-described forfeitable property;

Pursuant to Title 18, United States Code, Section 924(d)(1), Title 21, United States Code, Sections 853 and 881, and Title 28, United States Code, Section 2461(c).

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FOREFERSON /

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